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18 MORGAN STANLEY SMITH BARNEY LLC, and MORGAN STANLEY

19  
20 UNITED STATES DISTRICT COURT  
21 NORTHERN DISTRICT OF CALIFORNIA  
22 SAN FRANCISCO DIVISION

23 JASON ZAJONC, individually and on behalf  
of all others similarly situated,

24 Plaintiff,  
vs.

25 MORGAN STANLEY & CO. LLC, f/k/a  
26 Morgan Stanley & Co. Incorporated,  
MORGAN STANLEY SMITH BARNEY  
27 LLC, and MORGAN STANLEY,

28 Defendants.

Case No. 4:14-cv-05563-EMC

**JOINT STIPULATION AND  
[PROPOSED] ORDER TO CONTINUE  
CASE MANAGEMENT CONFERENCE**

1 Pursuant to Civil Local Rules 6-1 and 6-2, Defendants MORGAN STANLEY & CO.  
2 LLC, MORGAN STANLEY SMITH BARNEY LLC, and MORGAN STANLEY (collectively  
3 “Defendants”) and Plaintiff JASON ZAJONC (“Plaintiff”) (collectively, the “Parties”), by and  
4 through their respective counsel of record, jointly request that the Court continue the initial Case  
5 Management Conference currently scheduled for May 28, 2015 to June 4, 2015, or to a date  
6 thereafter that is mutually convenient for the Court.

7 WHEREAS, the initial Case Management Conference was originally set for April 2, 2015  
8 (Dkt. No. 27);

9 WHEREAS, in an Amended Order dated March 31, 2015, the Court continued the initial  
10 Case Management Conference to May 28, 2015 (Dkt. No. 52);

11 WHEREAS, Lead Counsel for Defendants, Melinda Riechert, is unable to attend the  
12 Case Management Conference on May 28, 2015 because she is scheduled to host and present  
13 at the Technology Industry Employers Roundtable on the same date and at the same time as  
14 the Case Management Conference. Nearly fifty industry attorneys are already scheduled to  
15 attend;

16 WHEREAS, pursuant to Civil Local Rule 16-3, Lead Counsel for Defendants, Melinda  
17 Riechert, is required to be present at the Case Management Conference to confer and plan as  
18 mandated by Federal Rule of Civil Procedure 26(f);

19 WHEREAS, continuing the initial Case Management Conference to June 4, 2015 will not  
20 affect the schedule for the case.

21 THEREFORE, IT IS STIPULATED by the Parties and respectfully requested that the  
22 initial Case Management Conference currently scheduled for May 28, 2015 be continued to  
23 June 4, 2015, or a date thereafter that is mutually convenient for the Court.

24 IT IS SO STIPULATED.  
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1 Dated: May 20, 2015

2 By: /s/ Jahan C. Sagafi  
3 Jahan C. Sagafi

4 Jahan C. Sagafi (Cal. Bar No. 224887)  
5 Julia Rabinovich (Cal. Bar No. 290730)  
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Attorneys for Plaintiff and Proposed Class  
Members

1 Dated: May 20, 2015

MORGAN, LEWIS & BOCKIUS LLP

2 By: /s/ Melinda Riechert  
3 Melinda Riechert

4 Attorneys for Defendants  
5 MORGAN STANLEY & CO. LLC,  
MORGAN STANLEY SMITH BARNEY  
LLC, and MORGAN STANLEY

6 **ATTESTATION**

7 I, Melinda Riechert, am the ECF user whose identification and password are being used to  
8 file this Stipulation and [Proposed] Order to Continue Case Management Conference. In  
9 compliance with Civil L.R. 5-1(i)(3), I hereby attest that Jahan C. Sagafi concurs in this filing.

10 DATED: May 20, 2015

MORGAN LEWIS & BOCKIUS LLP

11 By: /s/ Melinda Riechert

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JOINT STIPULATION AND PROPOSED ORDER TO CONTINUE CMC  
4:14-cv-05563-EMC

~~[PROPOSED] ORDER~~

Pursuant to the Parties' Stipulation to Continue May 28, 2015 Case Management Conference and for good cause appearing, the Stipulation is approved. The Court hereby orders as follows:

The Case Management Conference currently scheduled for May 28, 2015 at 9:30 a.m. is continued until June 4, 2015.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: \_\_\_\_\_

5/22/15

